UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,702	02/22/2002	Gregory P. Fitzpatrick	BOC9-2001-0025 (271)	1267

40987   7590   04/26/2005

AKERMAN SENTERFITT
P. O. BOX 3188
WEST PALM BEACH, FL 33402-3188

EXAMINER
THAI, CANG G

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/081,702	FITZPATRICK ET AL.
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/22/2002</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) submitted on 2/22/2002 is in

compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is

considering the information disclosure statement.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,470,338 (RIZZO ET AL.).

As for claim 1, RIZZO discloses a method of connecting businesses through

common interests comprising:

storing business profiles comprising business attributes in an online business

registry {See Fig. 1B, Element 250};

responsive to a query from an inquiring business, searching said online business

registry to locate at least one business having a business profile including at least one

business attribute corresponding to said query {See Fig. 1B, Element 260}; and

establishing at least one communications link between said inquiring business and said located business according to at least one business attribute of said business profile of said located business {See Fig. 1B, Element 270}.

As for claim 2, RIZZO discloses the method of claim 1, wherein said searching step comprises searching said online business registry according to said query, wherein said specified business attribute is common to said inquiring business {See Fig. 1B, Element 290}.

. As for claim 3, RIZZO discloses the method of claim 1, wherein said storing step comprises storing business attributes selected from the group consisting of business identity information, business description information, and communications information {See Fig. 1C, Element 340}.

As for claim 4, RIZZO discloses the method of claim 3, wherein said establishing a communications link step comprises extracting said communications information from said business profile of said located business {See Fig. 1C, Element 360}.

As for claim 5, RIZZO discloses the method according to claim 3, wherein said storing step further comprises:

defining access rights to said business profiles {See Fig. 2, Element 40};

defining permissible communications links and points of contact as business attributes within said business profiles {See Fig. 3, Element 180}; and

defining selected business attributes of said business profiles as private {See Fig. 4, Element 220}.

As for claim 6, RIZZO discloses the method of claim 3, wherein said establishing a communications link step further comprises authenticating at least said inquiring business {See Fig. 5, Element 280}.

As for claim 7, RIZZO discloses a method of connecting businesses through common interests comprising:

storing business profiles comprising business attributes in an online business registry {See Fig. 1B, Element 250};

responsive to a query from an inquiring business specifying at least one business attribute, locating within said online business registry business profiles corresponding to said specified business attribute {See Fig. 1B, Element 260};

identifying within said located business profiles references to other business profiles contained within said online business registry {See Fig. 1B, Element 270}; and

determining whether said other business profiles include business attributes corresponding to said query {See Fig. 1B, Element 290}.

As for claim 8, RIZZO discloses the method of claim 7, further comprising:

if so, establishing a communications link between said inquiring business and at least one of said other businesses having a business attribute corresponding to said query {See Fig. 1C, Element 360}.

As for claim 9, RIZZO discloses the method of claim 7, wherein said locating step locates within said online business registry business profiles corresponding to said specified business attribute, wherein said specified business attribute is a business identity {See Fig. 2, Element 40}.

As for claim 10, RIZZO discloses the method of claim 7, wherein said locating step comprises locating in said online business registry, business profiles associated with said specified business attribute of said query, wherein said specified business attribute is common to said inquiring business {See Fig. 4, Element 220}.

As for claim 11, RIZZO discloses the method of claim 7, wherein said storing step comprises storing business attributes selected from the group consisting of business identity information, business description information, and communications information {See Fig. 3, Element 200}.

As for claim 12, RIZZO discloses the method of claim 11, wherein said establishing a communications link step comprises extracting said communications information from said business profile of at least one of said other businesses {See Fig. 5, Element 280}.

As for claim 13, which has the same limitations as in claim 5, therefore, it is rejected for the similar reasons set forth in claim 5.

As for claim 14, which has the same limitation as in claim 6, therefore, it is rejected for the similar reason set forth in claim 6.

As for claim 15, RIZZO discloses a system for connecting businesses through business profiles comprising:

an online business registry configured to store business profiles comprising business attributes {See Fig. 1A, Element 60};

a registration application configured to collect said business attributes of said

business profiles and store said business profiles within said online business registry

{See Fig. 1A, Element 80};

a search engine configured to receive queries and search said business profiles

to locate at least one other business profile corresponding to said query {See Fig. 1B,

Element 250}; and

a communications engine configured to establish a communications link between

at least two businesses having profiles included in said online business registry, said

communications link being established according to at least one business parameter

within at least one of said business profiles associated with said at least two businesses

{See Fig. 1B, Element 260}.

As for claim 16, RIZZO discloses a machine-readable storage having stored

thereon, a computer program having a plurality of code sections, said code sections

executable by a machine for causing the machine to perform the steps of:

storing business profiles comprising business attributes in an online business

registry {Column 1, Lines 49-50, wherein this reads over "a plurality of data entry

devices to the potential clients via a computer network"};

responsive to a query from an inquiring business, searching said online business

registry to locate at least one business having a business profile including at least one

business attribute corresponding to said query {Column 1, Lines 53-55, wherein this

reads over "automatically comparing the received data to data stored in the storage

medium to identify one or more suitable professional services providers"}; and

establishing at least one communications link between said inquiring business

and said located business according to at least one business attribute of said business

profile of said located business {Column 1, Lines 59-61, wherein this reads over

"receiving a response from at least one responding one of the one or more identified

service providers"}.

As for claim 17, RIZZO discloses the machine-readable storage of claim 16,

wherein said searching step comprises searching said online business registry

according to said query, wherein said specified business attribute is common to said

inquiring business {Column 1, Lines 61-63, wherein this reads over "automatically

providing information indicative of another portion of the received data to the responding

one of the service providers"}.

As for claim 18, RIZZO discloses the machine-readable storage of claim 16,

wherein said storing step comprises storing business attributes selected from the group

consisting of business identity information, business description information, and

communications information {Column 3, Lines 60-63, wherein this reads over "a

database query is preferably performed 260 to identify member law firms which satisfy

the new matter requests which have been entered by potential clients"}.

As for claim 19, RIZZO discloses the machine-readable storage of claim 18,

wherein said establishing a communications link step comprises extracting said

communications information from said business profile of said located business

{Column 4, Lines 3-7, wherein this reads over "when law firms and attorneys are signed

as members they preferably provide similar information about themselves as was entered 80 by the potential clients, e.g., of law firm, and e-mail address"}.

As for claim 20, RIZZO discloses the machine-readable storage according to claim 18, wherein said storing step further comprises:

defining access rights to said business profiles {Column 4, Lines 39-41, wherein this reads over "an ID and password corresponding to the member law firm or attorney attempting to access the new matter request information"};

defining permissible communications links and points of contact as business attributes within said business profiles {Column 4, Lines 47-49, wherein this reads over "the member may then decide to either not response at all to the request, download the information as text file using HTML link 370"}; and

defining selected business attributes of said business profiles as private {Column 8, Lines 5-6, wherein this reads over "user ID and password which must be entered before access will be allowed"}.

As for claim 21, RIZZO discloses the machine-readable storage of claim 18, wherein said establishing a communications link step further comprises authenticating at least said inquiring business {Column 8, Lines 7-8, wherein this reads over "the user ID and password can also be included in the URL link embedded in the e-mail"}.

As for claim 22, which has the same limitations as in claims 16 and 17, respectively, therefore, it is rejected for the similar reasons set forth in claims 16 and 17, respectively.

As for claim 23, RIZZO discloses the machine-readable storage of claim 22, further comprising:

if so, establishing a communications link between said inquiring business and at least one of said other businesses having a business attribute corresponding to said query {Column 1, Lines 59-61, wherein this reads over "receiving a response from at least one responding one of the one or more identified service providers"}.

As for claim 24, RIZZO discloses the machine-readable storage of claim 22, wherein said locating step locates within said online business registry business profiles corresponding to said specified business attribute, wherein said specified business attribute is a business identity {Column 7, Lines 57-61, wherein this reads over "activated the URL link enables the receiving attorney to not only be forwarded to access the appropriate website, but to automatically access a dynamically generate webpage which includes further information about the case"}.

As for claim 25, which has the same limitation as in claim 17, therefore, it is rejected for the similar reasons set forth in claim 17.

As for claim 26, which has the same limitation as in claim 18, therefore, it is rejected for the similar reasons set forth in claim 18.

As for claim 27, which has the same limitation as in claim 19, therefore, it is rejected for the similar reasons set forth in claim 19.

As for claim 28, which has the same limitation as in claim 20, therefore, it is rejected for the similar reasons set forth in claim 20.

As for claim 29, which has the same limitation as in claim 21, therefore, it is rejected for the similar reasons set forth in claim 21.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I.   <u>U.S. Patent:</u>

1)   U.S. Patent Application Publication No. 2003/0046244 (SHEAR ET AL.) is cited to teach methods for matching, selecting, and/or classifying based on rights management and/or other information,

2)   U.S. Patent Application Publication No. 2003/0009600 (KOYAMA ET AL.) is cited to teach a program execution service providing system, server program execution service providing method and storage medium storing program therefor,

3)   U.S. Patent No. 5,717,925 (HARPER ET AL.) is cited to teach information catalog system with object-dependent functionality, and

4)   U.S. Patent No. 6,205,472 (GILMORE) is cited to teach a method and apparatus for querying a user knowledge profile.
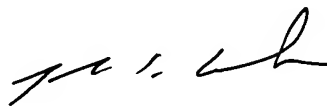
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
4/19/2005

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600